

## **Abstract**

### **Matrimonial property and obligations of the spouse**

This thesis analyses regulation of matrimonial property with an emphasis on its administration, scope and settlement. The main focus of this thesis is to analyse actual statutory regulation in context of actual case law of Czech Supreme Court, with special focus on institute of invalidity of juridical act, disputes in matters of administration and scope of matrimonial property as well as on intertemporality issue in matrimonial property law.

Subject of this thesis is related to current development of Czech Supreme Court case law. Aside from introduction and conclusion, the thesis consists of five main chapters.

In second chapter, the term and concept of matrimonial property in context of current statutory regulation and regulation of Civil Code 40/1964. Coll. is defined.

Third chapter analyses matrimonial property regimes – statutory regime, contractual regime and regime established by a court decision with focus on detailed specification of scope in the statutory regime, with legislative proposal *de lege ferenda*. Final part of this chapter gives attention to disputes about the scope of matrimonial property with focus on immovables.

Central as well as the most comprehensive part of the thesis is in the fourth chapter – administration of matrimonial property. Statutory, contractual and established by a court decision model of administration are defined and distinguished in this chapter. General interpretation is followed by detailed analysis of institute of invalidity of juridical act in matters of management of matrimonial property and connected procedural issues. This chapter deals with current as well as historical case law in context of expert debate.

Fifth and sixth chapter refer about cancellation and distinction of matrimonial property and following arts of its settlement, with focus on settlement by a court decision. Within the sixth chapter, the issues of intertemporality in matrimonial property relations are discussed in detail.

## **Key words**

Matrimony, property, invalidity